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Select Committee on Motorized Snow
Vehicles and all-terrain Vehicles
Interim report. 1973



ONTARIO

1973

Interim Report

By

THE SELECT COMMITTEE

On

MOTORIZED SNOW VEHICLES
AND ALL-TERRAIN VEHICLES

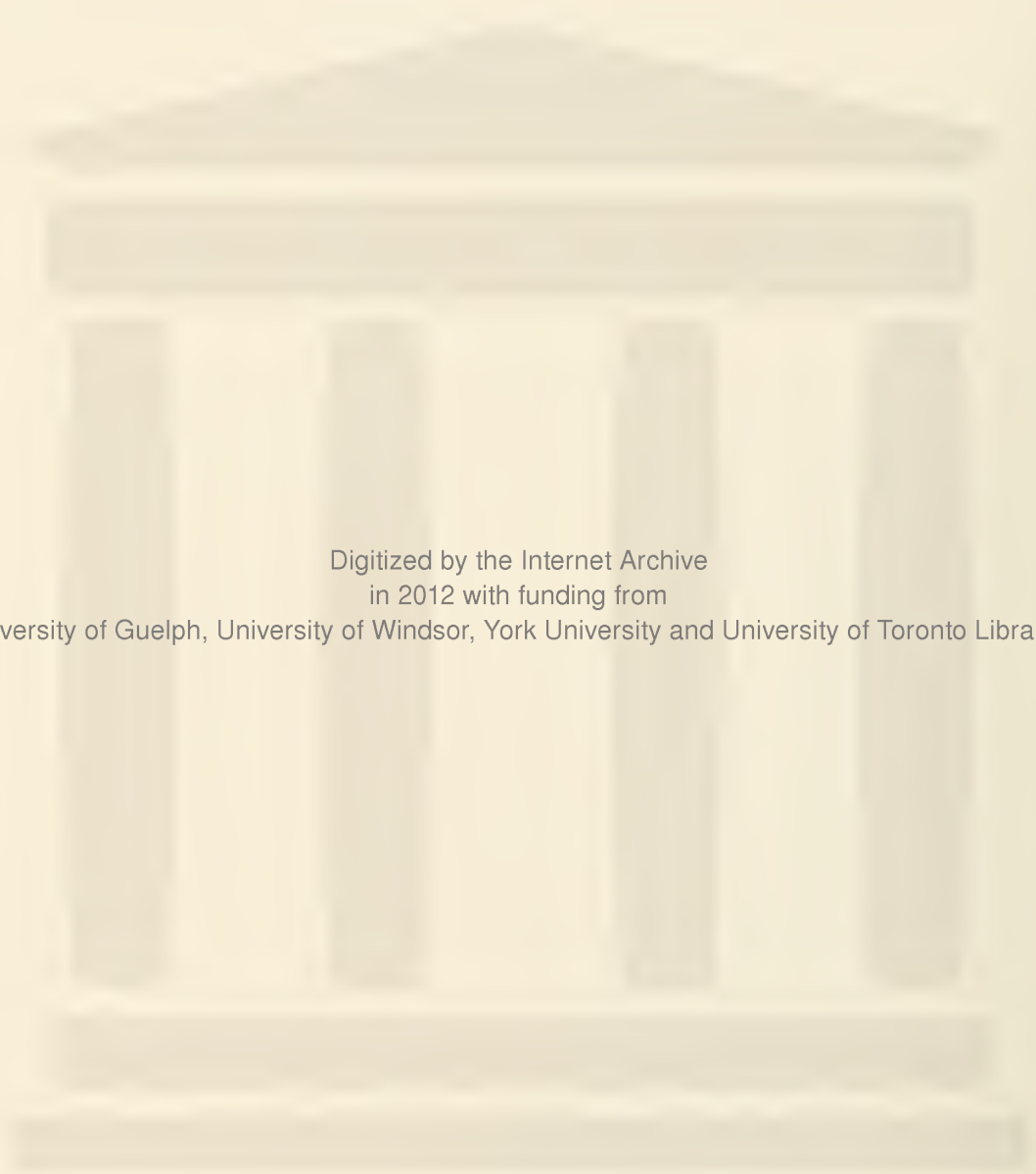
TABLED IN THE LEGISLATIVE ASSEMBLY

BY

ALEX CARRUTHERS, M.P.P.
CHAIRMAN

MAY 1973

3rd Session, 29th Legislature, 21 Elizabeth II



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1973

Interim Report

By

THE SELECT COMMITTEE ON
MOTORIZED SNOW VEHICLES AND
ALL-TERRAIN VEHICLES

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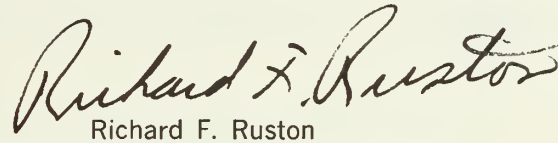
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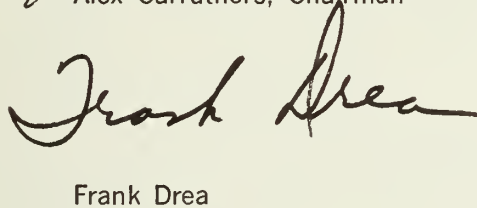
TO: The Honourable Allen E. Reuter,
Speaker of the Legislative Assembly of the Province of Ontario.

Sir:

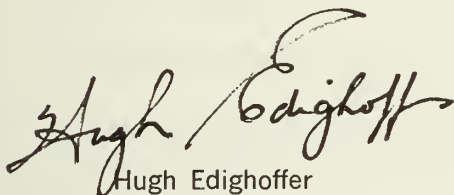
We, the undersigned members of the Select Committee on Motorized Snow Vehicles and All-Terrain Vehicles appointed by the Legislative Assembly of the Province of Ontario on June 30, 1972 to enquire into and report on all matters concerning snowmobiles and all-terrain vehicles, respectfully submit this interim report.


Alex Carruthers, Chairman


Richard F. Ruston


Frank Drea

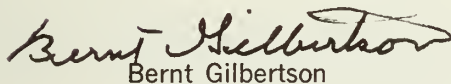

Jack E. Stokes

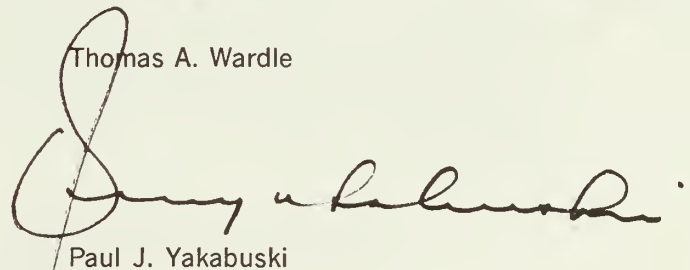

Hugh Edighoffer


James A. Taylor


Bud Germa


Thomas A. Wardle


Bernt Gilbertson


Paul J. Yakabuski


George Nixon

Committee Appointment and Terms of Reference

On Friday, June 30, 1972, at 10:00 o'clock A.M., in the Legislative Assembly of Ontario, 2nd Session, 29th Parliament, on motion by the Honourable Gordon R. Carton, Q.C., Minister of Transportation and Communications, and Seconded by the Honourable Dalton A. Bales, Q.C., Attorney General of the Province of Ontario, it was Ordered, that a Select Committee of the Legislature be appointed to enquire into and report on all matters relating to the operation of motorized snow vehicles and all-terrain vehicles, and having particular reference to:

1. the safety of the operator, including his qualifications and equipment, and of passengers carried on or towed by the vehicle;
2. safety in respect of the vehicle equipment;
3. operation of the vehicle on public roads and in other public areas;
4. control of trespass;
5. the effectiveness of existing legislation and regulations;
6. identification of vehicle ownership and of operators with regard to operation on public and private property;
7. environmental considerations including noise.

The Committee shall make such recommendations as it deems advisable on the basis of its investigations.

And that the Select Committee have authority to sit during recesses and the interval between Sessions and have full power and authority to employ counsel and such other personnel as may be deemed advisable and to call for persons, papers and things and to examine witnesses under oath, and the Assembly doth command and compel attendance before the said Select Committee of such persons and things as the Committee may deem necessary for any of its proceedings and deliberations, for which purpose the Honourable the Speaker may issue his warrant or warrants.

And that the said Committee be composed of eleven Members, as follows:—

Mr. Alex Carruthers, M.P.P. (Chairman) Durham
Mr. Frank Drea, M.P.P. Scarborough Centre
Mr. Hugh Edighoffer, M.P.P. Perth
Mr. Bud Germa, M.P.P. Sudbury
Mr. Bernt Gilbertson, M.P.P. Algoma
Mr. George Nixon, M.P.P. Dovercourt
Mr. Richard F. Ruston, M.P.P. Essex-Kent
Mr. Jack E. Stokes, M.P.P. Thunder Bay
Mr. James A. Taylor, M.P.P. Prince Edward-Lennox
Mr. Thomas A. Wardle, M.P.P. Beaches-Woodbine
Mr. Paul J. Yakabuski, M.P.P. Renfrew South

Other Appointments

The Clerk of the Legislative Assembly appointed Mr. Andrew Richardson as Clerk of the Committee. Mr. Bruno Diesner, M.A., and Mr. Paul Moore, B.A., were assigned to carry out research. Miss Cleo McElroy and Miss Sandy Davidson were appointed to secretarial duties.

In addition, the following employees of the Province of Ontario were assigned as consultants:

Mr. K. A. Sands, Executive Assistant to the Deputy Minister, Ministry of Transportation and Communications.

Mr. L. Lonero, Systems Research Branch, Ministry of Transportation and Communications.

Mr. S. McAuley, Solicitor, Office of the Senior Crown Counsel, Ministry of The Attorney General.

Foreword

The Committee decided that public hearings would be held throughout the Province of Ontario to provide maximum participation by the public in its study. It was also felt that this procedure would give the Committee Members the opportunity of hearing views on the subjects under study as they pertained to particular geographical regions as well as to the entire Province.

Because of the wide scope of the terms of reference and the varying seasonal usage of various types of motorized all-terrain vehicles, the Committee decided to establish priorities for its study.

The Committee assigned first priority to the investigation of motorized snow vehicles because of the number of machines in operation, the increasing popularity of the activity, and the fact that the time of year when the Committee could hold the most hearings, winter, coincided with the use of such machines.

In this first phase of its work, the Committee held public hearings in thirty-three Ontario centres. While the vast majority of presentations concerned motorized snow vehicles, there were some representations in regard to other all-terrain vehicles. These will provide the basis for extensive research into these vehicles which will be a part of phase two of the work of the Committee.

It should be pointed out that the Committee found some matters concerning the use of motorized snow vehicles which require further examination. Neither research nor the views presented at public hearings provided the Committee with sufficient facts to make recommendations on these specific matters. These areas of concern will be exhaustively studied during the second phase and the findings contained in the final report of the Committee.

To focus maximum public attention on the hearings, the Committee invited all interested in the subject to attend and participate. Special invitations were extended to direct interest groups such as snowmobile clubs, environmental groups, municipalities and other government agencies, and law enforcement bodies.

Formal advertisements in daily and weekly newspapers preceded public hearings. Radio and TV also carried notices of these hearings as news or public affairs programs. A list of the places and dates of these hearings is included as Appendix "A" while a list of briefs, oral and written, is included as Appendix "B".

Besides views on the recreational use of motorized snow vehicles, the Committee heard presentations outlining the utility of such machines in maintenance and law enforcement operations, in emergency conditions and as a means of transportation for native peoples and trappers.

The Committee wishes to extend its thanks to the staff for their dedication and hard work in this initial part of its study: to the research staff for their response and resourcefulness in compiling data on such a complex matter; to the solicitor, and to the consultants from the Ministry of Transportation and Communications, for their invaluable help in legislative and data matters; to the clerical staff for their efficiency, and in particular, to the Clerk for his work in organizing public hearings as well as arranging for maximum public participation. This Interim Report is a measure of their contributions to the public service.

Definitions

FOR THE PURPOSES OF THIS REPORT

- a) “motorized snow vehicle” means a self-propelled vehicle of not more than 1,000 pounds weight constructed primarily for travel on snow or ice, having one or more steering skis or runners, and driven by an endless track or tracks;
- b) “highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for passage of motor vehicles;
- c) “roadway” means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder;
- d) “built-up area” means the area next to a highway not within a city, town, village or police village where the area on one or both sides of the highway is occupied by dwellings, business premises, schools or churches; and
- e) “public trail” means the whole of any motorized snow vehicle trail, the whole or any part of which is established and maintained by public funds.

PART (I) The Use of the Motorized Snow Vehicle On and Off Highways

a) ON HIGHWAY USE

(i) Phasing-out of Highway Use

The Motorized Snow Vehicles Act, Revised Statutes of Ontario 1970, chapter 283 and Regulation 614 of the Revised Regulations of Ontario 1970 made under the Motorized Snow Vehicles Act, allow motorized snow vehicles on the highway, except those parts of the King's Highway described in S.20 (3) of the Regulation. Section 6 of the Act also empowers municipalities to enact by-laws to regulate, govern or prohibit their use within the municipality, including any highways or any part or parts thereof. It has, however, become rapidly apparent to the Committee that motorized snow vehicles are incompatible with motor vehicles on the highway. Many individuals and groups concerned with safety, pointed out that these recreational vehicles presented a danger on the already congested highways by virtue of their low profile, speed and mechanical construction. Accident statistics compiled by various organizations provide ample evidence that this is indeed an area greatly in need of strict reform.

Figures compiled by the Ministry of Transportation and Communications for the period November 1972 to February 12, 1973 revealed that 168 out of 198 highway collisions, which claimed 6 out of the 10 fatalities, occurred on municipal highways on which they were allowed to operate. Although many of these accidents may have resulted from the carelessness of the motorized snow vehicle operator or motor vehicle operator, studies initiated by the Canada Department of Transport, with regard to motorized snow vehicles, have demonstrated poor manoeuvrability, steering and braking on ice, hard packed snow and

bare pavement. The skis provide marginal steering ability and the tracks minimal adhesion in other than deep snow. These weaknesses, coupled with poor visibility, the low profile of the machine and bad weather conditions as well as the proximity to fast moving motor vehicles constitute an obvious hazard.

Although the municipalities are empowered to control the use of motorized snow vehicles on highways within their jurisdiction, only 84 out of 903 such municipalities have officially enacted by-laws approved by the Ministry of Transportation and Communications. This reluctance to control motorized snow vehicle use and the emphasis of The Motorized Snow Vehicles Act toward operation on the highway, would appear to encourage the operation of these vehicles on the highway.

Many briefs expressed the desire of motorized snow vehicle operators for adequate facilities and use-areas so that they need not use the highways which, they realize, are becoming far too hazardous. However, other operators argue that they at least have a right to use secondary highways. Their contention rests on the fact that they are required to pay a \$10 registration fee, which is deposited in the Provincial Treasury, as well as a gas tax, which contributes to highway maintenance. They are also required to possess a chauffeur's or operator's licence issued under The Highway Traffic Act, R.S.O. 1970, c. 202, and to be covered by Motor Vehicle Liability Insurance for any highway operation. In several municipalities, it was also argued that it was imperative that motorized

snow vehicles be allowed to operate on local municipal highways either for commercial reasons or because there was no alternative means of access to use-areas.

In view of the hazards of the operation of the motorized snow vehicle on highways, the Committee is vitally concerned about the possible escalation of fatalities. The use of motorized snow vehicles on the highway must be gradually phased out. Motorized snow vehicle operation must be restricted to areas more compatible to their use.

That the motorized snow vehicle was never intended for use on highways is evident from its basic construction, design and equipment. It has, however, taken to the highway because of the lack of adequate off-highway facilities.

“The snowmobile is not designed to be operated on hard road surfaces such as concrete or asphalt due to lack of tractability for such application. Snowmobiles are designed to be operated on snow”. (Ontario Snowmobile Distributor’s Association in its submission to the Committee).

The Committee therefore recommends:

1. That by July 1st, 1975, no person shall operate a motorized snow vehicle on the ploughed or serviced portion of any highway

Except:

- (a) to cross any highway at an angle of 90 degrees to the direction of the roadway, other than those parts of the King’s Highway described in subsection 3 of section 20 of Regulation 614 of the Revised Regulations of Ontario 1970, made under The Motorized Snow Vehicles Act, R.S.O. 1970, c. 283;
- (b) as provided by a Municipal By-law; and

- (c) those highways or portion of highways designated by the Minister of Transportation and Communications.

(ii) Speed Limits and Towing

It has been reported that some operators have been known to drive carelessly, showing little regard for public safety. Also, excessive speed of these vehicles creates a nuisance factor in residential areas.

In a study by the Canada Department of Transport, a maximum speed of 15 mph was found necessary to negotiate a 90 degree bend with straight line stability. There are, at present, no speed limits for motorized snow vehicles with the exception of those prescribed by municipal by-law.

The hazards of towing cutters, sleighs, toboggans, skiers, etc. were also emphasized by most users as well as motorists, and particularly when towed with a rope or loose hitch and bar. If the vehicle must brake or stop suddenly, the possibility of injury or damage to the operator and/or passenger is very great. Without exception, all concerned with safety recommended that a solid tow bar be required.

Towing on the highway was stressed as a hazard, especially while negotiating bends or corners or coming suddenly upon parked cars, when balance and stability are of the utmost importance.

The Committee therefore recommends:

2. That no person shall operate a motorized snow vehicle in excess of 15 mph or such lesser speed limit as may be posted or prescribed, anywhere in a built-up area, city, town, village and police village.
3. That no person shall operate a motorized snow vehicle in excess of 30 mph

or such lesser speed limit as may be posted or prescribed on any highway except roads outside of built-up areas, cities, towns, villages and police villages, not open to vehicular traffic.

4. That a rigid tow bar shall be required for towing, but such towing shall not be permitted on the ploughed or serviced portion of any highway except to cross at a 90 degree angle.

(iii) Accident Reporting

The present method of accident reporting is sporadic, haphazard and problematic. Section 10 (1) of The Motorized Snow Vehicles Act does not require a report of an accident where personal injury or property damage to the person or property of the owner or driver **only** is involved and where damage does not exceed \$200. By lowering this amount more reports would be generated.

The Committee therefore recommends:

5. That section 10, subsection 1 of The Motorized Snow Vehicles Act, R.S.O. 1970, c. 283, be amended by deleting the phrase "other than the owner or driver" therefrom, and by requiring that all collisions of the nature outlined in section 10, subsection 1 be reported where the damage apparently exceeds \$100, instead of \$200 as presently prescribed by the section.

b) OFF HIGHWAY USE

(i) Public Trails

Since the Committee has recommended that motorized snow vehicles be removed from highways, alternative facilities must be provided.

The Ministry of Natural Resources has provided and maintains some 1,156 miles of trails on Crown Land, Conservation Authority Land, in Agreement Forests and in Provincial Parks.* In addition approximately 700 miles of Park roads are available for the use of motorized snow vehicles. The Ministry of Industry and Tourism advertises an additional 1,000 trails in 60 areas throughout the province on private property of a commercial nature.

The cost of establishing a trail network for motorized snow vehicles can vary from \$200 per mile to \$1,500 per mile depending upon the terrain, forest cover, availability of abandoned roads or fire trails, snowfall, the size of the trail and facilities that are provided. In some areas, trails incorporate the frozen surfaces of waterways or abandoned roads, so that the average cost per mile is substantially reduced. However, if a trail must be cut through a forest, particularly a coniferous forest in which the undergrowth is quite thick, the cost will naturally be greater. Maintenance costs again depend upon the width of the trail, the size of the equipment, the number of men employed for grooming, garbage collection and snowplowing, but the average cost is estimated to be \$50 to \$85 per mile.

To facilitate the phasing-out of motorized snow vehicles from highway use, the two year period referred to in Recommendation 1 should be utilized by the Ministry of Natural Resources to implement alternatives to highway use. Such a program would maintain safe and standardized trails and allow for supervision of participants and control of the design and layout of trails consistent with reasonable ecological practices. The

*Refer to Appendix C, Table 1

Ministry should work with Municipalities to co-ordinate and link-up trail networks.

The Committee therefore recommends:

6. That the Ontario Government provide leadership in the establishment and maintenance of trails on Crown Lands, and in co-operation both with municipal authorities and with private persons on a lease basis.
7. That no trail shall be established on Crown Land without the permission of the Ministry of Natural Resources.
8. That the Ministry of Natural Resources, be empowered to acquire easements or other limited interests in land, for the purpose of establishing and maintaining motorized snow vehicle trails.
9. That the Ministry of Natural Resources be directed to acquire, where appropriate, abandoned railway and utility lines, and abandoned mining and logging roads for the purpose of establishing and maintaining recreational trails.

(ii) Signing Program

To achieve a greater degree of public co-operation, a uniform system of signs must be established to inform the clubs and individuals where the operation of the vehicles is permitted, where highway, railway and trail crossings

can be safely made and of the existence of dangerous areas. Many clubs and organizations have instituted their own systems but there is an urgent need for a standardized, distinctive and durable system which could possibly be accepted at least provincially if not nationally.

The Committee therefore recommends:

10. That an appropriate and uniform signing program for roads and trails be initiated.

(iii) Illumination of Motorized Snow Vehicles on Trails

If the trail areas are to offer a safe alternative to highway use, then the lighting provision of The Motorized Snow Vehicles Regulation, section 21, should be broadened to include trails, particularly when statistics compiled by the Ministry of Transportation and Communications showed that, between November 1972 and February 12, 1973, 59 collisions out of 84 occurred off the highway at night, during the week.

The Committee therefore recommends:

11. That section 21 of Regulation 614, Revised Regulation of Ontario 1970, made under The Motorized Snow Vehicles Act, R.S.O. 1970, c.283, be amended to include public trails.

PART (II) Licensing and Safety of the Operator

a) LICENSING

Much attention has been given to the fact that motorized snow vehicles are being operated by very young individuals both on highways and in off-highway areas. Although some have suggested that the young operators can be quite competent, the consensus has been that there should be an age limit on operation in public areas and on public highways. The Motorized Snow Vehicles Act presently requires that the operator of a motorized snow vehicle possess a valid chauffeur's or operator's licence issued under The Highway Traffic Act, be insured and be at least 16 years of age for operation on a highway. The licence qualification has been called discriminatory by those who have no driver's licence because they have no automobile nor any desire to own one but do own and operate a motorized snow vehicle. They are, despite age or experience, prohibited from any operation on the highway even for the limited purpose of crossing such highway.

Many clubs and organizations also pointed out that operators as young as 14 were quite capable of handling a motorized snow vehicle safely and should be allowed to cross a highway. Most groups agreed that a test and a certificate of competency should be implemented to assure safe and responsible operation on highways and public trails by those without a driver's licence under The Highway Traffic Act or less than 16 years of age. Many other jurisdictions had introduced a variety of licences and age limits in order to co-ordinate safety programs and competency tests. It was seen as an effective means of training prospective motorized snow vehicle owners in safe and responsible operation.

The Hunter Safety Program was used as an example of how a compulsory safety program could greatly reduce accidents.

It was decided that the minimum age for non-highway use on public trails with a certificate of competency and a special motorized snow vehicle licence should be 12 years of age, for a child younger than this age would be insufficiently developed physically or perceptually to safely operate a motorized snow vehicle on such public trails. This is not to prohibit an individual under the age of 12 from operating a motorized snow vehicle on private property, but the Committee can not emphasize strongly enough the importance of proper parental or guardian supervision at all times.

It was also decided that a child of 14 years of age and over should be allowed to cross a highway, provided of course that he pass a test of competency and possess a valid motorized snow vehicle licence established pursuant to these recommendations. This motorized snow vehicle licence could also be obtained by a person 16 years of age or over who did not possess a chauffeur's or operator's licence issued under The Highway Traffic Act, for the specific act of operating a motorized snow vehicle as is presently required by section 7 (3) of The Motorized Snow Vehicles Act.

A motorcycle licence was also considered by the Committee to be acceptable as a driving permit for a motorized snow vehicle on a highway or public trail since the holder of such motorcycle licence has been tested for safe and responsible highway operation.

Because of the expected increase in off-highway trail use, when the motorized snow vehicle has been successfully phased off the highways as intended by Recommendation 1, in the interest of safety it would then be necessary to require an operator of a motorized snow vehicle to possess one of the six licences established by the succeeding recommendations, for use on all trails in receipt of public funds.

The Committee therefore recommends:

12. That an operator's, chauffeur's or motorcycle licence shall be legally valid for the operation of a motorized snow vehicle on a highway where such licence is so required under The Motorized Snow Vehicles Act as revised pursuant to this Interim Report.
13. That any person who is 16 years of age or over, who is not the holder of an operator's, chauffeur's or motorcycle licence, should be permitted to operate a motorized snow vehicle on a highway provided that person is the holder of a valid motorized snow vehicle licence issued after the completion of a special competency test, where such motorized snow vehicle licence is so required under The Motorized Snow Vehicles Act as revised pursuant to this Interim Report.
14. That any person 14 years of age or over should be permitted to operate a motorized snow vehicle to cross a highway provided that person is the holder of a valid motorized snow vehicle licence issued after the completion of a special competency test.
15. That any person 12 years of age or over should be permitted to operate a motorized snow vehicle on any

trail established and maintained by public funds provided that person is the holder of a valid motorized snow vehicle licence issued after the completion of a special competency test.

16. That the aforementioned licences be required for the operation of a motorized snow vehicle on trails established and maintained by public funds.

b) SAFETY

(i) The Motorized Snow Vehicle

The Canada Safety Council reported 116 fatalities as a result of motorized snow vehicle accidents during the 1971-72 winter season. In the same period, Ontario suffered 30 fatalities, the second highest fatality count in Canada*. The latest figures of the Ontario Safety League for the 1972-1973 season indicate 48 motorized snow vehicle fatalities in Ontario.

In view of the increasing number of deaths and personal injuries that have occurred in motorized snow vehicle accidents, more attention must be directed to not only the machine but the operation of such vehicles to promote safety in the construction and operation of motorized snow vehicles.

Although safety standards must be met as required in the Canada Motor Vehicle Safety Act, Revised Statutes of Canada 1970, 1st Supp. c.26, at the point of sale, the Committee is deeply concerned that there is no similar protection for the purchaser of a used motorized snow vehicle, as there is for purchasers of used motor vehicles and motorcycles. The purchaser of a

*Refer to Appendix C Table 2.

used motorized snow vehicle could face a significant financial loss as well as possibly suffer damage or personal injury with a defective machine. The same standards that protect the original purchaser, should likewise protect the purchaser trying to economize.

The Committee therefore recommends:

17. That a certificate of mechanical fitness accompany the resale of any motorized snow vehicle.

(ii) Operators and Passengers on the Motorized Snow Vehicle

The use of a helmet by operators and passengers was avidly supported by law enforcement officers, medical and scientific authorities and particularly by snowmobile clubs. It was generally recognized that skull injuries were very prevalent in motorized snow vehicle accidents and that Section 62 of The Highway Traffic Act and Regulation 423 of The Revised Regulations of Ontario 1970, under The Highway Traffic Act which require motorcyclists to wear approved helmets, should likewise be added to The Motorized Snow Vehicles Act. Although objections were raised regarding the restriction of freedom of movement and/or acoustic difficulties, as well as the inability of some to wear helmets due to medical reasons, it is in the public interest to so recommend.

It was also brought to our attention that there are no formal standards for motorized snow vehicle helmets regarding acoustic protection, and crash-worthiness. The reports of the fallibility of many varieties is sufficient proof of the need for such standards.

Face shields, which are growing in popularity because of their greater facial protection from the elements, flying debris

and branches, have also been cited for shattering in sub-zero temperatures causing facial injury.

The wearing of scarves and loose clothing was criticized by most groups. Serious injury or death has resulted from such articles being caught in the belt, tread or on a branch or fence post. Clothing manufacturers have, however, demonstrated a conscientious effort to develop safer protective outfits.

The Committee therefore recommends:

18. That the wearing of helmets of an approved standard should be mandatory for motorized snow vehicle operators and passengers carried on or towed by the vehicle.
19. That the Ontario Government should set standards for design and construction of such helmets.
- 19(a). That face shields on helmets used by operators and passengers of motorized snow vehicles be made of material that is shatterproof to prevent injury to the wearer in the case of an accident.
20. That no person shall wear a scarf or other clothing accessory in such manner that it may be caught by the mechanism of the motorized snow vehicle, by tree branches, or by other obstructions of a like nature.

(iii) Education

The Committee examined many safety brochures, decals and other material distributed by the snowmobile industry, safety organizations and police safety clinics and was impressed with their effort to promote safe, responsible motorized snow vehicle operation. To date, the Government of Ontario has not published or circulated a formal guide to safe operation of motorized snow vehicles as they have for

motor vehicles. Ideally, there should be a handbook outlining minimum spare equipment, tools, safety rules, signs and maintenance and the danger of unsafe ice conditions, which is not too bulky and at the same time readable for all ages down to and including the 12 year old.

This handbook should be the first step in a comprehensive training program and should be distributed at points of sale, licensing and registration. It should also serve as a guide to relevant sections of statutes applicable to motorized snow vehicle activity such as The Liquor Control Act, the Criminal Code and The Motorized Snow Vehicles Act.

Neither The Liquor Control Act nor the Criminal Code exclude motorized snow vehicles from their provisions. Therefore, provisions of The Liquor Control Act apply to the operator of a motorized snow vehicle to the extent of possession, conveyance, search and seizure and arrest. Likewise all of the provisions of the Criminal Code regarding driving offences such as impaired driving and subsequent detention, breathalyzer tests and convictions apply equally to said operators on or off the highway, including private property.

Because of the alarming increase in fatalities due to drowning, the dangers of ice conditions and unfamiliar waterways cannot be sufficiently stressed by this Committee. These drownings might have been prevented had there been sufficient education on the dangers of ice conditions in changing weather. The latest figures record 19 motorized snow vehicle related drownings in the 1972-1973 season. This is a substantial increase from the 5 drownings in 1971-1972 and the 6 for the previous winter season.

The Committee was particularly impressed with the significant contributions of the snowmobile clubs and associations in their promotion of safety, responsibility

through self-policing, their promotion of the sport as a family activity and their attempts to develop community involvement and peaceful co-existence with non-members. The Committee would urge that the Ontario Government and municipal governments, with the co-operation of the snowmobile industry encourage the creation and support of snowmobile clubs to promote safety.

The Committee therefore recommends:

21. That the Ministry of Transportation and Communications provide a handbook specially designated for motorized snow vehicle operation stressing that:
 - (a) goggles or similar protective items be worn by the operator and passengers;
 - (b) every motorized snow vehicle used in Ontario be equipped with a First Aid Kit and a tool kit for minor repairs, i.e., 2 spark plugs, drive belt and flashlight;
 - (c) a telescopic safety pennant be used on all motorized snow vehicles;
 - (d) no snowmobiler travel alone; and
 - (e) no more than 2 persons shall ride on a motorized snow vehicle at any one time.
22. That in the handbook there be specific mention of the provisions of the Criminal Code, R.S.C. 1970, c. C-34, The Liquor Control Act, R.S.O. 1970, c. 249 and The Motorized Snow Vehicles Act, R.S.O. 1970, c. 283 respecting possession, use and transportation of alcohol or drugs, driving offences, search and seizure of the motorized snow vehicle and search, arrest or summons of the operator.
23. That due to the high incidence of drowning resulting from motorized snow vehicles traversing water courses under poor ice conditions, all possible be done to educate the operator and passengers on the hazards of such activity.

PART (III) Registration of the Motorized Snow Vehicle

a) THE REGISTRATION FEE

Section 2(1) of The Motorized Snow Vehicles Act, subject to exceptions provided in Section 2(4), requires the owner of every motorized snow vehicle to register same with the Ministry of Transportation and Communications before driving it or allowing it to be driven. It has, however, come to our attention, both from the increasing number of charges laid under said registration section and licence requirements of The Motorized Snow Vehicles Act by both Municipal Police and The Ontario Provincial Police as well as by statements by the owners themselves, that the owners refuse to pay the registration fee. This refusal to register is further supported by figures from the Ministry of Transportation and Communications which show a registration of 224,460 units for the 1971-1972 period of an estimated 300,000 units in operation. Figures for the current year are not available although the Ontario Snowmobile Distributors Association estimated, according to retail sales figures that, there are 258,000 motorized snow vehicles in use; many more, in fact than the actual registration figures reflect.

Many briefs and petitions were submitted in objection to the increase in registration fee from \$4.00 for a two year period to an annual \$10.00 fee. This increase is seen as purely a luxury tax providing the Provincial Treasurer with additional revenue, with no return in any way to the owners or operators of motorized snow vehicles. It is also argued that the increase is exorbitant in view of the maximum four month seasonal usage, the prohibition from the King's Highway as described in Section 20 of The Motorized Snow Vehicles Regulation, the frequent municipal prohibition from highways

in their jurisdiction, the relatively low horse-power, and the unavailability of proper off-highway use areas. Owners of motorized snow vehicles also have to pay the 19 cent gas tax which contributes to the maintenance of many of the highways from which they are prohibited, as well as a sales tax on machine and equipment. It appeared to many motorized snow vehicle owners, that they were being charged and taxed without reason or because of prejudiced attitudes and bad publicity of their recreation.

It was also argued that motorized snow vehicles used solely for commercial activities, such as hunting, fishing and trapping should be exempt from registration as they do not use the public highways nor available off-highway facilities. Those who use motorized snow vehicles for competitive racing purposes requested exemption on the grounds that their machines do not conform to standards set out in the Canada Motor Vehicle Safety Act respecting lighting, brakes, muffler, etc., and are therefore operated only in racing events. Still others claimed that they only operate their vehicles on private property and never use public facilities.

However, there was support for the fee increase, from those who suggested that the revenue be used to reimburse those who have suffered property damage as a result of motorized snow vehicle operation and to provide law enforcement agencies with more and better pursuit vehicles to more effectively control motorized snow vehicle use. Some motorized snow vehicle owners felt that they were getting a return on their registration fee because of the availability of trails in their area.

The Ministry of Transportation and Communications argues that the fee increase

is realistic in view of the increasing administrative and enforcement costs, greater demands for public service and additional facilities, and the continuance of winter road maintenance.

Under the existing system, there are obvious weaknesses which must be rectified. In spite of The Motorized Snow Vehicles Act, many vehicles are not being registered, resulting in a significant loss of revenue. Vehicle identification and convictions are much more difficult if not impossible in violations of The Petty Trespass Act, R.S.O. 1970, c.347, The Motorized Snow Vehicles Act, The Liquor Control Act and the Criminal Code of Canada. In the event of theft, retrieval is further hampered by the absence of any registration.

It is therefore the view of the Committee that registration be mandatory at the point of sale to ensure compliance with the registration requirement of The Motorized Snow Vehicles Act. Enough additional revenue should be generated from registration at point of sale to allow a reduction in the registration fee. However, the fee cannot be reduced to the prior level of \$2.00 per year because of the expenses incurred by our other recommendations which are attempting not only to give the owner some returns on his fee, but also to provide safe and supervised use areas for the operation of motorized snow vehicles. Sufficient revenue will be needed to subsidize trail development and maintenance, safety training courses and the promotion of safety advertising as well as to cover enforcement and administrative expenses.

This registration fee should be effective for one year, and to begin in the summer when sales are lowest in anticipation of a new production year. This would ensure that the owner would be

covered for the whole season by the payment of one fee.

The Committee therefore recommends:

24. That there be a mandatory registration fee at point of sale.
25. That the annual registration fee be \$8.00.
26. That the annual registration fee be effective from the 1st of July in any year until the 30th of June of the following year.

b) IDENTIFICATION

Identification of the motorized snow vehicle has posed a serious problem with regard to law enforcement and to prosecution of offenders. Many complaints of trespassing and property damage have been filed with the police and brought to our attention. It is almost impossible however to identify the offending operator or operators because of the similarity of clothing and machines, the speed of the vehicle and its versatility in attaining normally inaccessible areas.

Section 2(3) of The Motorized Snow Vehicles Act requires that all machines, while being driven, display a number plate on the front of the vehicle. This is of such a size and in such a position as to be almost undetectable from a distance. The cloud of snow thrown up by the track, and weather conditions further impede any identification.

It has often been suggested that a system of imprinting the vehicle registration number on the tread or track would facilitate identification. This possibility was discussed with specialists from many fields. The manufacturers stated that it would prove merely an added expense to the owner with questionable results. If the vehicle were travelling at high speeds, the imprint would

be unrecognizable, and could be obliterated in a very short time by the changing snow conditions. The imprint would also be indiscernible if driven over ice or hard packed snow and could be easily obliterated by the dragging of a branch. Moreover, if there were more than one vehicle, under the proper conditions, only the last vehicle could be identified by this method.

The most desirable method seemed to be the placement of a vehicle identification number, the cost of which would be included in the registration fee, on both sides of the cowl and of such a size as to be detectable from a distance of at least 500 feet. Such identification could replace the smaller plate and last for the lifetime of the machine to facilitate the tracing of stolen, abandoned or destroyed vehicles. To prove that the owner has paid registration for the current year, the most appropriate system would be a sticker provided at payment of the fee and attached to his vehicle in such a fashion as to be readily detected by law enforcement officers.

To further account for all registered vehicles, it should be mandatory to report to the Ministry of Transportation and Communications the loss, destruction or abandonment of the vehicle, other than abandonment on the private property of the motorized snow vehicle owner, within a definite time limit under penalty for failure to so comply.

The Committee also studied the matter of transfer of ownership. For motor vehicles and motorcycles, a transfer can be accomplished with the payment of a \$2.00 fee. Under the present Motorized Snow Vehicles Act, a subsequent purchaser must pay a registration fee of \$10.00 irrespective of the time of year, or previous payment.

This was considered to contribute to the refusal to register as well as being unfair to a subsequent purchaser. A transfer fee of \$1.00 was thought to be sufficient to cover the administrative expenses involved.

(i) Exemption

Many briefs were presented to the Committee by trappers and residents of isolated areas in Northern Ontario. The motorized snow vehicle represents a life style more than a recreation and is necessary for transportation to those people in areas without highways. Representatives of this area felt that compulsory registration was unreasonable and licensing unnecessary when they were situated in inaccessible areas completely unserved for many months of the year. In several northern areas, where communities are few and far apart and where there are no existing highways, it is not only difficult to register the many motorized snow vehicles but impracticable to try to enforce the relevant provisions. Trespass is also a lesser problem because of the comparatively small amount of private property. It was decided that they should be exempt from registration and licensing provisions provided that they be prohibited from using any highway in Ontario.

The Committee therefore recommends:

27. That the motorized snow vehicle be identified by large identification numbers on both sides of the cowl and that the identification numbers be for the lifetime of the machine.
- 27(a). That within 15 days after transfer of ownership, or the destruction or abandonment of any motorized snow vehicle, other than abandonment on the private property of the vehicle owner, written notice thereof shall be given to the Ministry of Transportation and Communications in such form

as it shall prescribe. A penalty of \$50.00 shall be imposed upon the owner for failure to give such notice.

27(b). That Recommendations 24, 25, 26, 27 and 27(a) shall not apply to an owner or operator of a motorized snow vehicle that is owned by a person residing in the Districts of Cochrane, Kenora, Thunder Bay and designated areas of the Districts of Rainy River and Algoma, which are not serviced by a highway connected to the highway system of the Province of Ontario. No licensing of the operator under Recommendations 12-16 inclusive of Part II is required of the aforementioned owners or operators. These exemptions apply only as long as the motorized snow vehicle is operated in those Districts or designated areas of Districts and not on any highway in Ontario.

28. That the concept of identification numbers shall be implemented immediately by the Ministry of Transportation and Communications.
29. That the identification numbers replace the present licence plate and be included as part of the annual registration fee.
30. That on payment of the annual registration fee, a sticker for the current year will be provided for affixing to the motorized snow vehicle.
31. That in the event that the permanent identification numbers deteriorate so that numbers are not readily identifiable, they will be replaced by the Ministry, free of charge.
32. That the fee for the transfer of ownership of a used motorized snow vehicle shall be \$1.00.

PART (IV) Trespass as it relates to the Motorized Snow Vehicle

a) The Petty Trespass Act, Revised Statutes of Ontario 1970, c.347

One of the most vocalized and controversial problems associated with the use of motorized snow vehicles is that of trespass as an offence under provincial statute law: The Petty Trespass Act, Revised Statutes of Ontario 1970, chapter 347. Innumerable complaints have been raised by the owners and occupiers of private property regarding the increasing violation of their property rights with the advent of the versatile motorized snow vehicle. The majority of operators are considered by this Committee to be responsible and considerate sportsmen; however, as in all sports, there are those who would misuse their rights, abuse the rights of others and thereby create a spirit of distrust and malevolence.

“No trespassing” signs have been torn down and fences have been continually cut, to the consternation and expense of private property owners. Motorized snow vehicles have, at times perhaps unintentionally, driven over and damaged susceptible winter wheat and clover crops, left litter in their wake and harassed occupiers and livestock with their noise.

In several cases, reforestation projects have been severely damaged or discouraged because of actual or potential damage from the motorized snow vehicles, which can crush or snap the vulnerable stems.

The farmer is usually not aware of the actual damage until the snow-cover melts and by then reparation is almost impossible to obtain. Identification and contact of these motorized trespassers have been other problems which make prosecution of the

trespasser and compensation of the landowner or occupier extremely difficult.

Law enforcement officers declare that they are unable to react to trespass complaints when the landowner or occupier cannot identify the trespasser; law enforcement officials are also unable to apprehend the trespasser unless they have a pursuit vehicle capable of traversing the same terrain as the motorized snow vehicle. At present there are only 73 motorized snow vehicles owned and operated by the Ontario Provincial Police Force to patrol 37 Detachments in Ontario; that means one patrol vehicle per 3,000—4,000 privately owned motorized snow vehicles.

The Petty Trespass Act is the principal provincially enacted legislation designed to protect the private landowner or occupier from trespass, although there are also provisions in the Canada Criminal Code for the protection of private property, for example, section 387 respecting mischief.

In a prosecution under The Petty Trespass Act the onus is on the landowner or occupier to prove: that it is in fact his private property and not that of the alleged trespasser or some other person; that he gave adequate oral or written notice or posted signs or posters visible from every point of access not to trespass, or enclosed the property, or he demonstrated that the property is a garden or lawn; that it was in fact the accused who trespassed; that a trespass in fact occurred: section 1 of The Petty Trespass Act. The alleged trespasser could be acquitted by proving that he “acted under a fair and reasonable supposition that he had a right” to enter upon the private property in question: section 4 of The Petty Trespass Act. It is difficult to prove, in

winter conditions, that a sign was visible at that particular time, or that a fence was not covered with snow.

It is, therefore, a costly, frustrating venture of questionable legal success to prosecute an alleged trespasser under The Petty Trespass Act. The Act also wrongly puts the private landowner in the expensive position of having to post and fence his land in order to have some chance of a successful prosecution for violation of section 1 of the Act.

b) The Motorized Snow Vehicles Act and the Offence of Trespass

Suggestions from private property owners have varied from complete restriction of motorized snow vehicles to designated areas, to necessary consent of the landowner before legal admission to the said land.

In view of previous recommendations regarding trails, not only is it imperative to reassure the landowner that he does have a reasonable chance of successfully prosecuting an alleged trespasser under provincial law for the offence of trespass to private property but also to ensure co-operation from the private property owners to remove the motorized snow vehicles from highways.

In a questionnaire initiated by this Committee, and distributed via "The Farm and Country" newspaper, it was found that 56.2% of the respondents (or 203 out of the 361) replied favourably to allowing motorized snow vehicles on their land with their consent and with a waiver of their

liability to operators of motorized snow vehicles on their private property with such consent.*

It was therefore thought necessary to insert provisions regarding trespass as a provincial offence into The Motorized Snow Vehicles Act itself to prevent overlapping responsibility and to instruct both landowner and operator of the law and of its consequences. To facilitate successful prosecutions for trespass, clarification of trespass as a provincial offence in relation to its commission in the operation of motorized snow vehicles is needed. With a requirement of the written permission of the private property owner or occupier to use the private property for motorized snow vehicle purposes, trespass as a provincial offence would be committed by anyone who entered the private property on his motorized snow vehicle without such written permission. The Petty Trespass Act in the event of trespass by motorized snow vehicles would be completely superseded by this requirement of written permission.

Such written permission would then be the keystone of the provincial offence of trespass to private property in relation to the operation of motorized snow vehicles; for example, when the above recommendation is implemented, trespass to private property by an operator of a motorized snow vehicle will be committed under The Motorized Snow Vehicles Act, as so revised, when such operator is on the private property without written permission even if the private property is unenclosed and even if the private property owner has given no notice, orally or otherwise, not to trespass on his private property.

*Refer to Appendix C Table 3.

The operator on private property should also be required to stop, identify himself, produce his licence, if any, to operate the motorized snow vehicle on a highway or public trail and produce his written permission to use the private property upon demand of the owner or occupier of the private property and, should the operator fail to produce such written permission, he should forthwith leave the private property upon the request of the owner or occupier thereof.

c) Investigation and Prosecution

To enhance the protection of the private landowner, complaints of commission of the provincial offence of trespass by a motorized snow vehicle should then be put into the hands of the Provincial Crown to investigate and to initiate and carry out prosecutions of individuals accused of such trespass under The Motorized Snow Vehicles Act as revised in accordance with the above comments and recommendations. Under present conditions, prosecutions for trespass as a provincial offence are sometimes at the instance of the Crown and sometimes by the private landowner himself. Those latter prosecutions may result in a considerable expense to the private landowner. The Committee would like to prevent any resort to “self-help” or vigilantism that might ensue from insufficient legal protection for the private property owner or occupier. In the words of Dr. Hudson Janisch (Faculty of Law, University of Western Ontario), “The law’s object is that disputes should be resolved in

the courts or should be dealt with through arbitration and conciliation against a legal background with its prime attributes of calm deliberation”.

The Committee therefore recommends:

33. That the operator of a motorized snow vehicle must obtain written permission from the owner or occupier of private property to operate his motorized snow vehicle on such property and if he does not have such written permission with respect to any private property on which he is found, then he has committed the provincial offence of trespass with respect to such property, notwithstanding the provisions of The Petty Trespass Act.
34. That every operator of a motorized snow vehicle shall, upon request of the owner or occupier of any private property on which he is found, stop, identify himself and produce his licence, if any, to operate the vehicle on a highway or public trail, and the written permission to use such land, and if the operator fails to produce such written permission he shall forthwith leave the property upon the request of the owner or occupier.
35. That upon the complaint of the owner or occupier of private property of a trespass, it will be the responsibility of the Crown to investigate such complaints and to initiate and to carry out prosecutions for trespass under The Motorized Snow Vehicles Act as revised by these recommendations.

PART (V) Owner-Occupier Liability

a) Present Law: Trespassers, Licensees, Invitees

Under the present law, the possible civil liability of owners or occupiers of private property to owners or operators of motorized snow vehicles while on the private property of the owners or occupiers is sufficiently unclear to discourage many such owners or occupiers from permitting the use of motorized snow vehicles on their private property.

There are three categories of persons who come on another's private property. These categories are determined by reference to the duty owed by and the potential civil liability of private property owners or occupiers to those persons.

The first category, to which the lowest duty, and hence, the least potential civil liability may be owed by the owner or occupier of private property to the person, is the trespasser on such property. A trespasser is any intruder who enters land without the landowner's or occupier's consent or permission. To the trespasser, landowners and occupiers generally owe a duty not willfully or maliciously to cause him or his property injury or damage; however, it is generally assumed that when an act of trespass is established, landowners and occupiers are not civilly liable to the trespasser for injuries sustained by him or by his property, subject to the aforementioned duty.

The greater duty and a correspondingly greater potential civil liability may be owed by the landowner or occupier to his social visitor or any other person who enters his private property with his permission, expressed or implied, but

without such social visitor or such other person who enters his private property with his permission, being charged or paying a fee to the landowner or occupier for admission. This second category of social visitor or other person is called a licensee in relation to the owner or occupier of the private property.

To the licensee, landowners and occupiers generally owe the duty of warning of all concealed dangers of which they are aware on their private property. Landowners and occupiers may be civilly liable to the licensee for not adequately warning him of such concealed dangers.

The greatest duty and the highest potential civil liability may be owed by landowners or occupiers to a person who enters and uses their private property not only with their permission but also under a business relationship whereby the person pays them a fee for such entry and use. This third category of person, to whom landowners and occupiers both owe the highest duty and may be subject to potentially the greatest civil liability, is called the invitee. Landowners and occupiers must generally use reasonable care to warn the invitee of dangers on or in the private property, of which such landowners and occupiers know or of which they ought to know.

Problems arise in attempting to distinguish between trespassers and licensees. For example, if a person enters private property without the permission of the owner or occupier he is likely at that instant a trespasser; however, repeated use of that private property by the person with no objection by the landowner or occupier might be interpreted as

conferring an implied consent or permission upon the trespasser to use the private property, in which case the trespasser becomes a licensee to whom the landowner or occupier owes a higher duty of care than he owes to a trespasser.

As long as owners or occupiers of private property face uncertainty as to whether or not a motorized snow vehicle operator on their private property is a trespasser or licensee and face the higher duty and civil liability to licensee-motorized snow vehicle operators, they will be hesitant about allowing the use of motorized snow vehicles on their private property.

Recommendations 33-35 are intended to classify as persons committing the provincial offence of trespass to private property, any operator who does not have the landowner's or occupier's written permission to use their private property.

b) Exclusion of Civil Liability by Written Permission

To enlist co-operation of owners and occupiers of private property in the development of off-highway use-areas on their private property, there should be no civil liability on the part of landowners or occupiers to motorized snow vehicle operators on such private property with their written permission. Such operators by reason of their having received written permission to enter and use the land from the owners or occupiers would normally, under the present law of owner-occupier liability, be classified as licensees to whom such owners or occupiers would owe the duty to warn of concealed dangers of which they have actual knowledge. There should, of course, in the opinion of the Committee, be civil liability to the motorized

snow vehicle operators by landowners or occupiers, who have given such written permission, for harm caused to such operators by any willful or malicious conduct of such landowners or occupiers; for example, the erection by such landowners or occupiers of land traps or the stringing of thin wires from tree to tree.

Of course where landowners or occupiers charge a fee for use of their private property for motorized snow vehicle purposes, the relationship of such landowners and occupiers to such operators remains unchanged as that of invitor-invitee to whom the landowners and occupiers owe the greatest duty of care and may owe the greatest potential civil liability for failure to warn of or to rectify those unusually dangerous conditions of which the landowners and occupiers are aware or of which they ought to be aware.

c) Joint and Several Liability

To further protect owners and occupiers of private property the Committee feels that both the motorized snow vehicle owner and operator, instead of only the operator as at present, should be jointly and severally civilly liable for loss or damage to the person or property of landowners, occupiers and others resulting from the operation of the motorized snow vehicle, where the owner and operator of the motorized snow vehicle are two different persons. Anyone thus suffering damage to his person or property could sue in the civil courts against either the operator or the owner of the motorized snow vehicle **or both** and the successful plaintiff could recover the full amount of his judgment from either the owner or operator of the motorized snow vehicle. An exception to this civil liability of the owner of the vehicle should be made, as in the case of owners

of motor vehicles under the provisions of The Highway Traffic Act, where the owner of the motorized snow vehicle can establish that the operator of the motorized snow vehicle at the time of the occasion giving rise to the civil court action was using the motorized snow vehicle without the owner's permission. In that circumstance the operator only, and not the owner, may be found to be civilly liable to landowners, occupiers and others for the damage caused to them or to their property by the operator's use of the motorized snow vehicle.

If motorized snow vehicles are to be removed from the highways it is vitally necessary to enlist the support of owners and occupiers of private property willing to allow use of motorized snow vehicles on their private property. Many landowners and occupiers are willing to allow motorized snow vehicles on their private property at present but because of their possible civil liability to operators using their private property with their permission and the difficulty of their being compensated for damages they or their property may suffer from the operation of motorized snow vehicles, they are understandably hesitant

to give permission. The onus must be placed on the motorized snow vehicle owner and operator to act responsibly and to take all precautions not to abuse any privileges conferred upon them to use private property for recreational purposes.

The Committee therefore recommends:

36. That where written permission is given by the owner or occupier of private property to a person to operate a motorized snow vehicle on such lands, then such landowner or occupier shall not be civilly liable for damage or injuries suffered by the motorized snow vehicle operator except such damage or injuries suffered by reason of the willful or malicious conduct of such landowner or occupier, and except where a landowner or occupier charges a fee for use of the land for recreational purposes.
37. That the owner and operator of a motorized snow vehicle be jointly and severally liable for any loss or damage to persons or property resulting from the operation of that motorized snow vehicle, except where the operator of the motorized snow vehicle is using same without the permission of the owner.

PART (VI) Amendments to Existing Provincial Legislation

The advent of the motorized snow vehicle has drastically altered the use of space and time in the winter months. The machine has facilitated the penetration into areas which were previously inaccessible because of heavy snowfall, by sportsmen, hunters and trappers. It has also created a greater use of lakes and rivers as well as sections of the province which are uninhabited and unserved. Because of this greater utilization, and the versatility of the motorized snow vehicle, problems have been created and hazards exposed, which were previously of little consequence.

a) Hazards

Many briefs from users of such areas, pointed out to the Committee the dangers of abandoned mine shafts and deserted pits and quarries. Heavy snowfall often concealed fencing or openings, or as was more commonly suggested, these hazards were not fenced or posted at all.

According to the Ministry of Natural Resources, all such abandoned sites are required to be fenced or posted at the time of abandonment by the owner of the property or, if it is owned by the Provincial Crown, by the District Engineer who is responsible for the maintenance and repair of such protective devices. However, there are countless numbers of such sites, especially in Central Northern Ontario and it is difficult to ensure that all are in a satisfactory state. Problems also arise when local residents take the wire from the fencing for their own use. When a deteriorated or destroyed fence is not reported, the District Engineer will not, therefore, be aware of the hazard. When the property is privately owned, it may often

happen that the owners of such property neglect to repair the protective devices or are unaware of the state of disrepair.

Another hazard which has presented itself since the advent of the motorized snow vehicle, is that of artificial de-icing equipment around docks and services in lakes and rivers. If there are lights about such equipment, the motorized snow vehicle operator could very likely be drawn towards it, if such operator were lost and seeking direction. The danger is further compounded when no lighting exists or when snowfall or poor weather conditions obscure the operator's vision. In view of the increased incidence of drowning in the province, steps must be taken to educate the public of such hazards, as well as to establish suitable control over registration and warning devices.

The Committee therefore recommends:

38. That section 176 of The Mining Act, R.S.O. 1970, c.274 and The Pits and Quarries Control Act, 1971, Statutes of Ontario 1971, Volume 2, c.96, be enforced to ensure the safety of motorized snow vehicle operators and passengers against the hazards of falling into abandoned mines, mine shafts, openings, pits and quarries.
39. That any person introducing artificial de-icing equipment into any waterway shall cause same to be registered with the Ministry of Natural Resources and will cause the area so affected to be properly posted.

b) Pollution

Complaints have also arisen regarding the spread of pollution and littering as a

direct result of the extensive use of the motorized snow vehicle. Spillage from refuelling, campfire debris, bottles and refuse from lunches have been reported on frozen waters, trails and park lands. Not only does this contribute to visual pollution but it presents a hazard to summer land and water usage, particularly in the case of broken glass. Although The Environmental Protection Act, S.O. 1971, Vol. 2, c.86, generally prohibits the littering of the environment and The Highway Traffic Act, Section 124, prohibits littering the highway, the Committee favours the inclusion of an anti-littering provision in The Motorized Snow Vehicles Act to cover not only highways but also trails.

The Committee therefore recommends:

40. That it be forbidden to throw or deposit on or beside a highway or trail, any glass bottle, tin can or any other waste or refuse liable to injure a person or animal or damage a vehicle or spoil the environment.

c) Firearms

Conservation officers and environmentalists have demonstrated considerable concern with regard to unfair hunting practices involving motorized snow vehicles. It is argued that hunters using the versatile motorized snow vehicle are rapidly thinning wild game in Ontario. There have also been reports of hunters discharging their firearms from these vehicles. To supplement the provisions in The Game and Fish Act, R.S.O. 1970, c.186, prohibiting the carrying of loaded weapons on or the discharge of same from vehicles, it is necessary to require all persons who carry firearms on motorized snow vehicles, to carry same unloaded and in a carrying case, with the exception of law enforcement officers. Trappers engaged in trap line activity should also be exempt from the carrying case

requirement but not that of keeping the firearm unloaded on a motorized snow vehicle. This would ensure compliance with existing law as well as prevent accidental discharge in the event of collision or upset.

The Committee therefore recommends:

41. That with the exception of law enforcement officers, no person shall carry a firearm on a motorized snow vehicle unless the firearm is unloaded and contained in a carrying case. The requirement of having the firearm in a carrying case shall not apply to a licenced trapper while engaged in trap line activity.

d) Mufflers

It was likewise brought to the attention of the Committee that many operators disassemble or otherwise alter the muffler system on their motorized snow vehicles to obtain more power output. This not only creates a noise level in excess of the Canada Motor Vehicle Safety Act and Regulations, SAE-J192 maximum level of 82 dBA, but also contributes a considerable amount of pollutants to the environment. Although The Highway Traffic Act, Section 49(1) prohibits such actions in regards to motor vehicles, there is no similar provision in The Motorized Snow Vehicles Act.

A similar protection should be added to The Motorized Snow Vehicles Act to cover all motorized snow vehicles with the exception of those vehicles used in competitive racing events.

The Committee therefore recommends:

42. That subsection 1 of section 49 of The Highway Traffic Act, R.S.O. 1970, c. 202, respecting mufflers be adapted and applied to motorized snow vehicles except those motorized snow vehicles

used for competitive racing in sanctioned racing areas, and that this recommendation be enacted in The Motorized Snow Vehicles Act.

e) Carrying and Production of Licence

Although The Motorized Snow Vehicles Act, Section 7(3) requires that a motorized snow vehicle operator hold a chauffeur's or operators licence issued under The Highway Traffic Act when operating a motorized snow vehicle on a highway, there is no requirement either to carry the licence on his person or to produce it upon the request of a law enforcement officer, although The Motorized Snow Vehicles Act, Section 9, does require production of evidence of insurance. In view of Recommendations 12 to 15 regarding licensing and Recommendation 16 which requires a licence to operate on public trails, substance could be given to The Motorized Snow Vehicles Act by a requirement to carry the appropriate licence at all times and to produce such licence upon the request of a law enforcement officer. If for any reason the operator is unable or refuses to produce the appropriate licence, then the correct name and address of the

operator should be considered reasonable identification. If motorized snow vehicles are to be successfully removed from highways and re-located in proper use-areas, these provisions will prove indispensable to enforce licensing requirements off the highways.

There is at the moment, very little in The Motorized Snow Vehicles Act that empowers law enforcement officers to enforce and carry out any provisions dealing with the operation of motorized snow vehicles off the highways.

The Committee therefore recommends:

43. That where a licence is required for the operation of a motorized snow vehicle the operator shall carry such licence on his person at all times that he is in charge of the motorized snow vehicle and shall produce such licence when requested by a law enforcement officer.
44. That every operator who is unable or refuses to produce his licence in accordance with Recommendation 43 shall, when requested by a law enforcement officer, give reasonable identification of himself and, for the purposes of this Recommendation, the correct name and address of such operator shall be deemed to be reasonable identification.

PART (VII) Suggestions to other Regulatory Authorities

While it is recognized that Ontario does have jurisdiction over the safety and equipment of motorized snow vehicles, in the public interest the Committee feels that such vehicle standards should be set for the Dominion of Canada rather than for any individual province.

There will be, then, no specific recommendations for Ontario legislation in regard to additions to, modifications of, or deletions from motorized snow vehicle manufacturing standards. The recommendations of this Committee in this regard are to be recommendations to the appropriate federal authorities dealing with manufacturing standards for motorized snow vehicles.

a) Rear-View Mirror

In view of Recommendation 18 requiring the wearing of helmets by operators and passengers on motorized snow vehicles, there may be a resulting restriction of movement. To safely operate a motorized snow vehicle, the operator must be aware constantly of what is going on behind him so that, if he decides to stop or turn suddenly he will not present a hazard to a following vehicle. It has been established through research, that rear-view mirrors do allow the operator to perceive such activity and at the same time permit safer control of the machine. Any restriction of movement caused by the use of a helmet should be adequately compensated for by the use of a rear-view mirror.

The Committee therefore recommends:

45. That the Federal Government be urged to recommend that manufacturers install a rear-view mirror on all newly manufactured motorized snow vehicles.

b) Mud-Flap

It has been pointed out to the Committee that debris or ice thrown by the track of the motorized snow vehicle poses a hazard to vehicles towed by or following the machine. In the interest of safety, the Federal Government should require snowguards or mud-flaps to be mounted at the rear of the vehicle.

The Committee therefore recommends:

46. That the Federal Government be urged to require a snowguard or mud-flap at the rear of the motorized snow vehicle.

c) Transmission

Many briefs submitted by safety experts as well as the general public have demonstrated concern about throttle linkage malfunction and the unreliability of the "kill switch" which is intended to cut off the power in the event of such malfunction. If the linkage were to slip into or freeze at full throttle, the machine could take off uncontrollably and cause injury or damage. It is in the interest of safety to completely eradicate any such potentiality by the provision of a neutral position.

The Committee therefore recommends:

47. That, due to the difficulties with throttle linkage and in the absence of a fool-proof mechanism, the Federal Government be urged to recommend that manufacturers provide a neutral position on all motorized snow vehicles manufactured, in the earliest production year that it is practicable to do so.

d) Windshields

The fallability of windshields was subject to sufficient criticism to warrant the immediate

attention of the Committee. The design of the windshield does not provide adequate protection to the operator from flying debris, branches, wind or ice and often serves decorative purposes only. Serious injuries have likewise resulted from the shattering of windshields and separation of windshield mouldings upon impact. Reform in this regard should be instituted as soon as is practicable in the interest of safety.

The Committee therefore recommends:

48. That the Federal Government be urged to recommend to manufacturers that windshields on motorized snow vehicles be made of material that is shatterproof, that windshields be sufficiently large to protect the operator and that every attempt be made to improve the moulding encasing such windshields.

The Committee has considered all matters relating to the operation of motorized snow vehicles and has made the foregoing recommendations in this Interim Report on the basis of the accumulated data. The Committee is not, however, satisfied with the available information in the following areas and feels that there is a need for further study before recommendations relevant to these areas can be made:

- (i) Environmental considerations, including fish depletion,
- (ii) Safety standards for participants and spectators at competitive motorized snow vehicle racing events,
- (iii) Insurance
- (iv) Warranty, service, recall.

SUMMARY OF RECOMMENDATIONS

PART (I) THE USE OF THE MOTORIZED SNOW VEHICLE ON AND OFF HIGHWAYS

1. That by July 1st, 1975, no person shall operate a motorized snow vehicle on the ploughed or serviced portion of any highway

Except:

- (a) to cross any highway at an angle of 90 degrees to the direction of the roadway, other than those parts of the King's Highway described in subsection 3 of section 20 of Regulation 614 of the Revised Regulations of Ontario 1970, made under The Motorized Snow Vehicles Act, R.S.O. 1970, c.283;
 - (b) as provided by a Municipal By-law; and
 - (c) those highways or portions of highways designated by the Minister of Transportation and Communications.
2. That no person shall operate a motorized snow vehicle in excess of 15 mph or such lesser speed limit as may be posted or prescribed, anywhere in a built-up area, city, town, village and police village.
 3. That no person shall operate a motorized snow vehicle in excess of 30 mph or such lesser speed limit as may be posted or prescribed on any highway except roads outside of built-up areas, cities, towns, villages and police villages, not open to vehicular traffic.
 4. That a rigid tow bar shall be required for towing, but such towing shall not be permitted on the ploughed or serviced portion of any highway, except to cross at a 90 degree angle.
 5. That section 10, subsection 1 of The Motorized Snow Vehicles Act, R.S.O. 1970, c.283, be amended by deleting the phrase "other than the owner or driver" therefrom, and by requiring that

all collisions of the nature outlined in section 10, subsection 1 be reported where the damage apparently exceeds \$100, instead of \$200 as presently prescribed by the section.

6. That the Ontario Government provide leadership in the establishment and maintenance of trails on Crown Lands, and in co-operation both with municipal authorities and with private persons on a lease basis.
7. That no trail shall be established on Crown Land without the permission of the Ministry of Natural Resources.
8. That the Ministry of Natural Resources be empowered to acquire easements or other limited interests in land, for the purpose of establishing and maintaining motorized snow vehicle trails.
9. That the Ministry of Natural Resources be directed to acquire, where appropriate, abandoned railway and utility lines, and abandoned mining and logging roads for the purpose of establishing and maintaining recreational trails.
10. That an appropriate and uniform signing program for roads and trails be initiated.
11. That section 21 of Regulation 614, Revised Regulations of Ontario 1970, made under The Motorized Snow Vehicles Act, R.S.O. 1970, c.283, be amended to include public trails.

PART (II) LICENSING AND SAFETY OF THE OPERATOR

12. That an operator's, chauffeur's or motor-cycle licence shall be legally valid for the operation of a motorized snow vehicle on a highway where such licence is so required under The Motorized Snow Vehicles Act as revised pursuant to this Interim Report.

13. That any person who is 16 years of age or over, who is not the holder of an operator's, chauffeur's or motorcycle licence, should be permitted to operate a motorized snow vehicle on a highway provided that person is the holder of a valid motorized snow vehicle licence issued after the completion of a special competency test, where such motorized snow vehicle licence is so required under The Motorized Snow Vehicles Act as revised pursuant to this Interim Report.
 14. That any person 14 years of age or over should be permitted to operate a motorized snow vehicle to cross a highway provided that person is the holder of a valid motorized snow vehicle licence issued after the completion of a special competency test.
 15. That any person 12 years of age or over should be permitted to operate a motorized snow vehicle on any trail established and maintained by public funds provided that person is the holder of a valid motorized snow vehicle licence issued after the completion of a special competency test.
 16. That the aforementioned licences be required for the operation of a motorized snow vehicle on trails established and maintained by public funds.
 17. That a certificate of mechanical fitness accompany the resale of any motorized snow vehicle.
 18. That the wearing of helmets of an approved standard should be mandatory for motorized snow vehicle operators and passengers carried on or towed by the vehicle.
 19. That the Ontario Government should set standards for design and construction of such helmets.
 - 19(a). That face shields on helmets used by operators and passengers of motorized snow vehicles be made of material that is shatterproof to prevent injury to the wearer in the case of an accident.
 20. That no person shall wear a scarf or other clothing accessory in such manner that it may be caught by the mechanism of the motorized snow vehicle, by tree branches, or by other obstructions of a like nature.
 21. That the Ministry of Transportation and Communications provide a handbook specially designated for motorized snow vehicle operation stressing that:
 - (a) goggles or similar protective items be worn by the operator and passengers;
 - (b) every motorized snow vehicle used in Ontario be equipped with a First Aid Kit and a tool kit for minor repairs, i.e., 2 spark plugs, drive belt and flashlight;
 - (c) a telescopic safety pennant be used on all motorized snow vehicles;
 - (d) no snowmobiler travel alone; and
 - (e) no more than 2 persons shall ride on a motorized snow vehicle at any one time.
 22. That in the handbook there be specific mention of the provisions of the Criminal Code, R.S.C. 1970, c. C-34, The Liquor Control Act, R.S.O. 1970, c.249 and The Motorized Snow Vehicles Act, R.S.O. 1970, c.283 respecting possession, use and transportation of alcohol or drugs, driving offences, search and seizure of the motorized snow vehicle and search, arrest or summons of the operator.
 23. That due to the high incidence of drowning resulting from motorized snow vehicles traversing water courses under poor ice conditions, all possible be done to educate operators and passengers on the hazards of such activity.
- PART (III) REGISTRATION OF THE
MOTORIZED SNOW VEHICLE**
24. That there be a mandatory registration fee at point of sale.

25. That the annual registration fee be \$8.00.
 26. That the annual registration fee be effective from the 1st of July in any year until the 30th of June of the following year.
 27. That the motorized snow vehicle be identified by large identification numbers on both sides of the cowling and that the identification numbers be for the lifetime of the machine.
 - 27(a). That within 15 days after transfer of ownership, or the destruction or abandonment of any motorized snow vehicle, other than abandonment on the private property of the vehicle owner, written notice thereof shall be given to the Ministry of Transportation and Communications in such form as it shall prescribe. A penalty of \$50.00 shall be imposed upon the owner for failure to give such notice.
 - 27(b). That Recommendations 24, 25, 26, 27 and 27(a) shall not apply to an owner or operator of a motorized snow vehicle that is owned by a person residing in the Districts of Cochrane, Kenora, Thunder Bay and designated areas of the Districts of Rainy River and Algoma, which are serviced by a highway connected to the highway system of the Province of Ontario. No licensing of the operator under Recommendations 12-16 inclusive of Part II is required of the aforementioned owners or operators. These exemptions apply only as long as the motorized snow vehicle is operated in those Districts or designated areas of Districts and not on any highway in Ontario.
 28. That the concept of identification numbers shall be implemented immediately by the Ministry of Transportation and Communications.
 29. That the identification numbers replace the present licence plate and be included as part of the annual registration fee.
 30. That on payment of the annual registration fee, a sticker for the current year will be provided for affixing to the motorized snow vehicle.
 31. That in the event that the permanent identification numbers deteriorate so that numbers are not readily identifiable, they will be replaced by the Ministry, free of charge.
 32. That the fee for the transfer of ownership of a used motorized snow vehicle shall be \$1.00.
- PART (IV) TRESPASS AS IT RELATES TO THE MOTORIZED SNOW VEHICLE**
33. That the operator of a motorized snow vehicle must obtain written permission from the owner or occupier of private property to operate his motorized snow vehicle on such property and if he does not have such written permission with respect to any private property on which he is found, then he has committed the provincial offence of trespass with respect to such property, notwithstanding the provisions of The Petty Trespass Act.
 34. That every operator of a motorized snow vehicle shall, upon request of the owner or occupier of any private property on which he is found, stop, identify himself and produce his licence, if any, to operate the vehicle on a highway or public trail, and the written permission to use such land, and if the operator fails to produce such written permission he shall forthwith leave the property upon the request of the owner or occupier.
 35. That upon the complaint of the owner or occupier of private property of a trespass, it will be the responsibility of the Crown to investigate such complaints and to initiate and to carry out prosecutions for trespass under The Motorized

Snow Vehicles Act as revised by these recommendations.

PART (V) OWNER-OCCUPIER LIABILITY

36. That where written permission is given by the owner or occupier of private property to a person to operate a motorized snow vehicle on such lands, then such landowner or occupier shall not be civilly liable for damage or injuries suffered by the motorized snow vehicle operator except such damage or injuries suffered by reason of the willful or malicious conduct of such landowner or occupier, and except where the landowner or occupier charges a fee for use of the land for recreational purposes.
37. That the owner and operator of a motorized snow vehicle be jointly and severally liable for any loss or damage to persons or property resulting from the operation of that motorized snow vehicle, except where the operator of the motorized snow vehicle is using same without the permission of the owner.

PART (VI) AMENDMENTS TO EXISTING PROVINCIAL LEGISLATION

38. That section 176 of The Mining Act, R.S.O. 1970, c.274 and The Pits and Quarries Control Act, 1971, Statutes of Ontario 1971, Volume 2, c.96, be enforced to ensure the safety of motorized snow vehicle operators and passengers against the hazards of falling into abandoned mines, mine shafts, openings, pits and quarries.
39. That any person introducing artificial de-icing equipment into any waterway shall cause same to be registered with the Ministry of Natural Resources and will cause the area so affected to be properly posted.
40. That it be forbidden to throw or deposit on or beside a highway or trail, any glass bottle, tin can or any other

waste or refuse liable to injure a person or animal or damage a vehicle or spoil the environment.

41. That with the exception of law enforcement officers, no person shall carry a firearm on a motorized snow vehicle unless the firearm is unloaded and contained in a carrying case. The requirement of having the firearm in a carrying case shall not apply to a licenced trapper while engaged in trap line activity.
42. That subsection 1 of section 49 of The Highway Traffic Act, R.S.O. 1970, c.202, respecting mufflers be adapted and applied to motorized snow vehicles except those motorized snow vehicles used for competitive racing in sanctioned racing areas, and that this recommendation be enacted in The Motorized Snow Vehicles Act.
43. That where a licence is required for the operation of a motorized snow vehicle the operator shall carry such licence on his person at all times that he is in charge of the motorized snow vehicle and shall produce such licence when requested by a law enforcement officer.
44. That every operator who is unable or refuses to produce his licence in accordance with recommendation 43 shall, when requested by a law enforcement officer, give reasonable identification of himself and, for the purposes of this recommendation, the correct name and address of such operator shall be deemed to be reasonable identification.

PART (VII) SUGGESTIONS TO OTHER REGULATORY AUTHORITIES

45. That the Federal Government be urged to recommend that manufacturers install a rear view mirror on all newly manufactured motorized snow vehicles.
46. That the Federal Government be urged to require a snowguard or mud-flap at the rear of the motorized snow vehicle.

47. That, due to the difficulties with throttle linkage and in the absence of a fool-proof mechanism, the Federal Government be urged to recommend that manufacturers provide a neutral position on all motorized snow vehicles manufactured, in the earliest production year that it is practicable to do so.
48. That the Federal Government be urged to recommend to manufacturers that windshields on motorized snow vehicles be made of material that is shatterproof, that windshields be sufficiently large to protect the operator and that every attempt be made to improve the moulding encasing such windshields.

APPENDIX "A"

Meetings and Hearings of the Committee

Date	Place	Date	Place
1972		1973	
July 12-13	Toronto	Jan. 4	Toronto
25-27	Toronto	8	Bobcaygeon
		9	Haliburton
		10	Port Sydney
Aug. 15-16	Ottawa	11	Parry Sound
23-24	Toronto	15	Simcoe
30	Augusta, Maine	16	London
		17	Sarnia
Sept. 19-20	Toronto	18	Tilbury
		22	Goderich
Oct. 10-11	Toronto	23	Owen Sound
16	Thunder Bay	24	Stratford
17	Fort Frances	25	Kitchener
18	Kenora	29	Renfrew
19	Dryden	30	Ottawa
		31	Cornwall
Nov. 6	Sudbury	Feb. 1	Brockville
7	North Bay	5	Peterborough
8	Kirkland Lake	6	Bancroft
9	Timmins	7	Kingston
15-17	Toronto	8	Picton
		11	Nipigon
		12	Schreiber
		13	Wawa
		14	Sault Ste. Marie
		14-15	5th International Snow-mobile Congress
		27-28	Toronto
		Mar. 1-2	Quebec City

APPENDIX “B”

Oral Briefs

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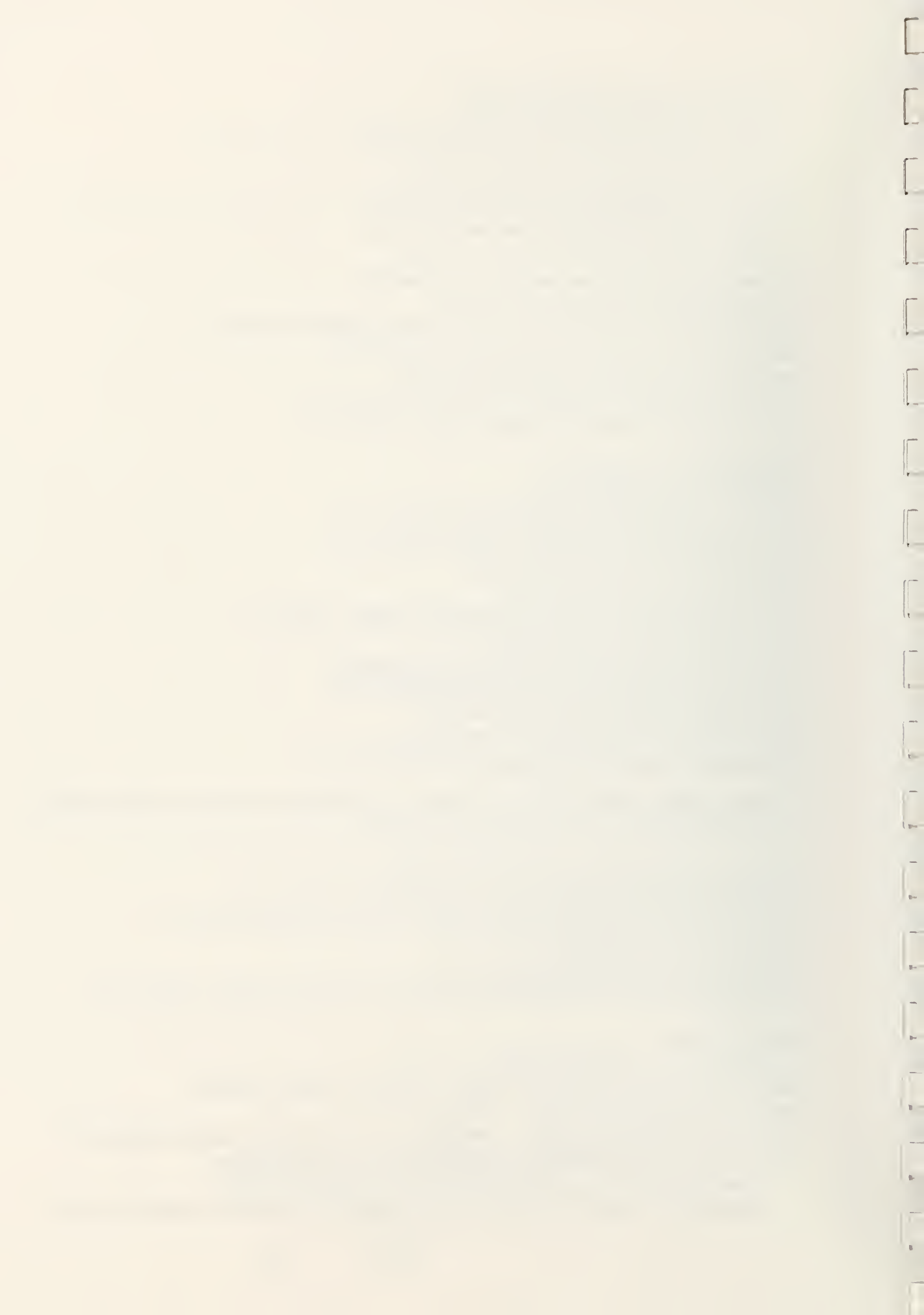
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ANTHONY, Mr. & Mrs. H., Norval, Ont.
ARCTIC ENTERPRISES INC., Thief River Falls, Minnesota, Ont.
ASSOCIATION OF MUNICIPALITIES OF ONTARIO
ASSOCIATION OF WOMEN ELECTORS OF THE KINGSTON AREA
ATHEY, Mrs. L. M., Vars, Ontario
AUBIN, Mr. & Mrs. M. P., North Bay, Ontario
AULD, Mr. W., Parry Sound, Ont.

BARTRUP, Mr. L., Mount Albert, Ont.
BEDDOME, Mrs. B., Dryden, Ont.
BERNIER, Mr. R., Timmins, Ont.
BEVERLEY, Mr. M. St. J., New Hamburg, Ont.
BILLOWES, Mr. C. A., Kanata, Ont.
BLACK, Mrs. B., Brussels, Ont.
BLACK, Mr. L., Brussels, Ont.
BLACK, Mr. M., New Lowell, Ont.
BOES, Mr. A., Brighton, Ont.
BOWMAN, Mr. B., Wallenstein, Ont.
BROWN, Mr. D., Janetville, Ont.
BRUCE TRAIL ASSOCIATION
BRYANT, Mr. G., Oakville, Ont.
BUCHANON, Mr. D. R., Belleville, Ont.

CALLCOTT JR., Mr. W., St. Mary's, Ont.
CARDINAL & DISTRICT SNOWMOBILE CLUB
CARNEY, Mr. & Mrs. P., Milliken, Ont.
CHAPLEAU AREA CHAMBER OF COMMERCE
CHAPMAN, Mr. D., Kleinburg, Ont.
CHILD, Mrs. W. R., Ancaster, Ont.
CLEARWATER, Mrs. H., Nipigon, Ont.
COOPER, Mr. M., Scotland, Ont.
CONSERVATION COUNCIL OF ONTARIO
CURTIS, Mr. R. C., Kingston, Ont.

DANFORD, Mr. J. M., Consecon, Ont.
DE GUARD, Mr. L., Crysler, Ont.
DONOHUE, Mr. C., Elliot Lake, Ont.

DUNBARTON SNOWDRIFTERS SNOWMOBILE CLUB, West Hill, Ont.
 DUNLOP, Mr. J. A., Q. C., Markdale, Ont.
 ELLIOT LAKE SNOWBIRD SNOWMOBILE CLUB, Elliot Lake, Ont.
 ENNIS, Mr. H., Moose Factory, Ont.
 FORBES, Mr. R., Port Credit, Ont.
 GALWAY, Mrs. D. L., Orillia, Ont.
 GEORGETOWN DISTRICT NATURALISTS CLUB
 GIESE, Mr. J. H., Durham, Ont.
 GREAT PINE RIDGE SNOWMOBILE ASSOCIATION, Cobourg, Ont.
 GRENVILLE FISH AND GAME CLUB
 GREY-BRUCE POLLUTION PROBE, Owen Sound, Ont.
 HAFNER, Mr. C. A., Lefroy, Ont.
 HALLS, Mrs. P. M., Carp, Ont.
 HANLEY, Mr. B., Flesherton, Ont.
 HANSEN, Mr. & Mrs. R., Norval, Ont.
 HART, Mr. N. S., Whitby, Ont.
 HILDEBRANDT, Mr. C., Georgetown, Ont.
 HILL, Mr. J., Kingston, Ont.
 HOLLAND, Mr. S., Markham, Ont.
 INNIS, Mr. G., Staples, Ont.
 JOHNSTON, Mr. W., Grand Valley, Ont.
 JONES, Mr. A. L., Bancroft, Ont.
 JONES, Mr. R. E., Midland, Ont.
 KENNEDY, Mrs. M., Elliot Lake, Ont.
 KREIMER, Mr. G., Aurora, Ont.
 LEBLANC, Mr. R. G., North Bay, Ont.
 LEGACE, Mr. L., Timmins, Ont.
 MACDONALD, Mr. R. R., Toronto, Ont.
 MAGEE, Mr. J. A., Drumbo, Ont.
 MARCEAU, Mr. D., Elliot Lake, Ont.
 MARK, Mr. W. G., Port Elgin, Ont.
 MARKHAM SAFETY COUNCIL, Markham, Ont.
 MARSHALL, Mr. W. J., New Liskeard, Ont.
 MASSE, Mrs. L., Belle River, Ont.
 MATHIESON, Mr. M., Pembroke, Ont.
 McCARDLE, Mr. A. S., Bobcaygeon, Ont.
 McILWRAITH FIELD NATURALISTS OF LONDON ONTARIO INCORPORATED
 McKILLICAN, Mr. D. R., Barrie, Ont.
 McRAE, Mr. W. R., Port Sydney, Ont.
 MERRIAM, Prof. H. G., Carleton University, Ottawa, Ont.
 MINISTRY OF NATURAL RESOURCES, Sioux Lookout District
 MITCHELL, Mr. & Mrs. T. G., Toronto, Ont.
 MORIS, Mr. P., Frankford, Ont.

MULLER, Mr. W., Rodney, Ont.
 NICHOLSON, Mr. W., Blyth, Ont.
 NORTHWESTERN ONTARIO TRAPPERS COUNCIL, Thunder Bay, Ont.
 O'BRIEN, Mrs. E. M., Ottawa, Ont.
 OUTBOARD MARINE CORPORATION OF CANADA
 PALMER, Mr. J. D., London, Ont.
 PELHAM SNOWMOBILE CLUB
 PICTON BAY SNOW RIDERS CLUB, Picton, Ont.
 PIGDEN, Mr. G., Madoc, Ont.
 PLANTE, Mr. O., Elliot Lake, Ont.
 PULSIFER, Mr. R., Smooth Rock Falls, Ont.
 REGIONAL MUNICIPALITY OF YORK, Newmarket, Ont.
 RICHARDSON, Mr. R., Sudbury, Ont.
 ROBERTSON, Mr. H., Stratford, Ont.
 ROBINSON, Mr. A. C., Wasaga Beach, Ont.
 ROCKBURNE, Mr. K., Carleton Place, Ont.
 ROUBLE, Mr. M. J., Renfrew, Ont.
 RUTH, Mr. A., Cavan, Ont.
 RYAN, Mr. K. E., Sudbury, Ont.
 SAWYERS, Mr. J. W., Ottawa, Ont.
 SAUGEEN VALLEY CONSERVATION AUTHORITY
 SAULT STE. MARIE GOLF CLUB, Sault Ste. Marie, Ont.
 SCHICKLER, Mr. R., Harcourt, Ont.
 SCHULDES, Mr. W. K. F., Ottawa, Ont.
 SCHWANKE, Mr. D. H., Clandeboye, Manitoba
 SHAVER, Mr. M. E., Ingleside, Ont.
 SINCLAIR, Mr. C. W., Hepworth, Ont.
 SMITH, Mr. M. J., Toronto, Ont.
 SNIDER, Mr. W. M., Chatham, Ont.
 SNO-FUEL ENTERPRISES, Sudbury, Ont.
 SOUTHAMPTON SNOWMOBILE CLUB, Southampton, Ont.
 SPENCE, Mr. A., Georgetown, Ont.
 SPENCER, Mrs. M. W., Sudbury, Ont.
 STANTON, Mr. J. M., Dryden, Ont.
 STEVENSON, Mr. R. J., Stittsville, Ont.
 TAYLOR, Mr. H. B., Walton, Ont.
 THOMAS, Mr. M., Bobcaygeon, Ont.
 TORONTO FIELD NATURALISTS CLUB
 TOUZEL Mr. J., Perth, Ont.
 TOWNSHIP OF WOLLASTON
 TRAPPERS COUNCIL, Pointe au Baril, Ont.
 VAN CAMP, Mr. C. E., Iroquois, Ont.
 VANEYK, Mr. & Mrs. J., Bowmanville, Ont.
 VOYAGEUR SNOWMOBILE CLUB, Richard's Landing, Ont.

WATTS, Mr. D., Inglewood, Ont.
WAWA SNOW RIDERS CLUB, Wawa, Ont.
WAYNE, Mr. & Mrs. P. S., Toronto, Ont.
WEBBER, Mr. R., Toronto, Ont.
WEST, Mr. E. A., Huntsville, Ont.
WOOD, Mr. G., Smiths Falls, Ont.
WORSLEY, Mr. W., Cameron, Ont.
YOUNG, Mr. B., Orangeville, Ont.

Petitions

BUCHOLTZ, Mr. G. E., Pembroke, Ont.
LEE, Mr. R., St. Catharines, Ont.
PAOLETTI, Mr. F., New Liskeard, Ont.
TIMISKAMING FISH AND GAME PROTECTIVE ASSOCIATION
UNITED ELECTRICAL RADIO AND MACHINE WORKERS OF AMERICA, Peterborough, Ont.

SNOWMOBILE TRAILS

Constructed by

The Ministry of Natural Resources

An Estimation of Total Mileage

1972-1973

APPENDIX "C"

TABLE 1

AREA	Marked Trails	+	Other Trails*	=	Total
1. Crown Lands	608 mi.	+	— mi.	=	608 mi.
2. Provincial Parks	206 mi.	+	42 mi.	=	248 mi.
3. Agreement Forests, Conservation Authority Lands, Other Property	122.5 mi.	+	117.5 mi.	=	240 mi.
4. Niagara Parks Commission	— mi.				
St. Clair Parkway Commission	— mi.				
St. Lawrence Parks Commission	8 mi.	+	52 mi.	=	60 mi.
Total Mileage	944.5 mi. of marked trails	+	211.5 mi. of other trails	=	1,156 mi. of snowmobile trails

* Those trails that are unmarked or not listed as marked.

(a) It is estimated that there are another 700 miles of roads in Provincial Parks that could be used for snowmobiling.

(b) The first official snowmobile trail was constructed by the Dept. of Lands and Forests in 1968 at Coldwater, Ontario.

Source of Information: Ministry of Natural Resources.

APPENDIX "C"

CANADA SAFETY COUNCIL

SNOWMOBILE ACCIDENTS (FATAL) - CANADA - WINTER 1971-72

by province, type of victim, type and location of accident

Prov.	FATAL ACCIDENTS & FATALITIES				TYPE OF ACCIDENT							LOCATION OF ACCIDENT						
	No. of Acc.	VICTIMS			Pedes- trians	Collision with				Drown- ings	Thrown Off	Other	High- way	Sec. Road	Muni. Road	Trail of Park	Lake or River	Other
		No. killed	Drivers	Pass- engers		M.V. %	Train	Wire or Fence	Other type of collision									
Nfld.																		
N.S.	1	1	1					1							1			
N.B.	4	4	4					4							3			
Que.	60	71	57	11	3		4	31	2	5	11	5	2	3	24	13	1	14
Ont.	29	30	27	3			3	14	1	5	3	1	2	3	14	2		4
Man.	4	6	4	2				1		2	1					2	1	1
Sask.	1	1	1					1								1		
Alta.	1	1	1															1
B.C.	2	2	1	1			1					1					1	1
Totals	102	116	96	17	3	8	3	52	8	12	15	8	4	7	41	19	2	20
																		13

* M.V. include passenger cars, commercial vehicles and snowmobiles.

APPENDIX "C"

TABLE 3

Questionnaire Results

Total number of respondents 361

Question	Reply		
	Yes	No	No Reply
1. Do you or any member of your family own or operate a snowmobile?	Yes 197 (54.6%)	No 164 (45.4%)	No Reply —
2. Do you use a snowmobile in connection with your farm operation?	Yes 135 (37.4%)	No 224 (62.1%)	No Reply 2 (0.5%)
3. Have you experienced damage to any farm crops, vegetation or trees as a result of persons snowmobiling on your property?	Yes 145 (40.2%)	No 209 (57.9%)	No Reply 7 (1.9%)
4. Have you experienced damage to any other farm property as a result of persons snowmobiling on your property?	Yes 142 (39.3%)	No 214 (59.3%)	No Reply 5 (1.4%)
5. Would you consent to persons snowmobiling on areas designated by you on your farm if you were protected from all claims that might be made against you by reason of persons suffering injury or damage while on your property?	Yes 203 (56.2%)	No 152 (42.1%)	No Reply 6 (1.7%)

